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 UNITED STATES FIDELITY AND GUARANTY
 6 COMPANY, et al.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10
 11 UNITED STATES FIDELITY AND
 GUARANTY COMPANY, et al.,

12 Plaintiffs,

13 v.

14 THE SCOTT COMPANIES, INC., et al.,

15 Defendants.

Case No. C03-5376-SBA (EMC)
 (RELATED CASE)

16
 17 UNITED STATES FIDELITY AND
 GUARANTY COMPANY, et al.,

18 Plaintiffs,

19 v.

20 ROBERT NURISSO, et al.,

21 Defendants.

Case No. C06-5590 EMC
 (RELATED CASE)

STIPULATION AND ORDER RE:
 LIFTING TRO FOR LIMITED PURPOSE
 OF PERMITTING JOSEPH GUGLIELMO
 TO PAY BANK OF AMERICA ACCOUNT
 FUNDS TO PLAINTIFFS ; ORDER

22
 23 Plaintiffs United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance
 24 Company, St. Paul Fire and Marine Insurance Company and St. Paul Medical Liability Insurance
 25 Company (collectively, "Plaintiffs") and Defendant Joseph Guglielmo, by and through their
 26 counsel of record, stipulate and agree as follows:

27 ...

1 WHEREAS,

2 A. On September 22, 2006, a Stipulation and Order Re: Issuance Of Temporary
3 Restraining Order ("TRO") was entered in the instant action.

4 B. There are funds in the amount of \$68,013.82 held in Bank of America bank
5 account no. 05255-40012 that is in the name of Guggs Investments, LP and/or
6 Joseph Guglielmo ("Bank Funds") that are subject to the TRO.

7 C. A Judgment dated June 1, 2007 ("Judgment") and an Order Granting in Part and
8 Denying in Part Plaintiffs' Motion for Attorneys' Fees, Expenses, and Costs
9 dated September 18, 2007 ("Order") were both entered in favor of Plaintiffs and
10 against Guglielmo in both of these actions.

11 D. Plaintiffs, Guglielmo and Guggs Investments, LP have agreed that the Bank Funds
12 will be paid to Plaintiffs to satisfy a portion of the amounts owed Plaintiffs under
13 the Judgments and Orders.

14 WHEREFORE, Plaintiffs, Guglielmo and Guggs Investments, LP agree that, as to the
15 Bank Funds only, the TRO will be lifted so that the funds can be paid to Plaintiffs.

16 IT IS SO STIPULATED.

17
18 Dated: ~~July~~, 2008

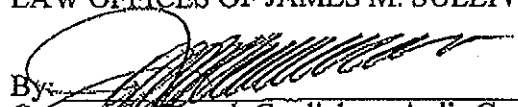
19 August 5, 2008

WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P.

By: 
Counsel for Plaintiffs

21 Dated: July 31, 2008

LAW OFFICES OF JAMES M. SULLIVAN, INC.

23 By: 
24 Counsel for Joseph Guglielmo, Ardis Guglielmo
and Guggs Investments, LP

25 Dated: July 31, 2008

Joseph Guglielmo

27 By: 
28

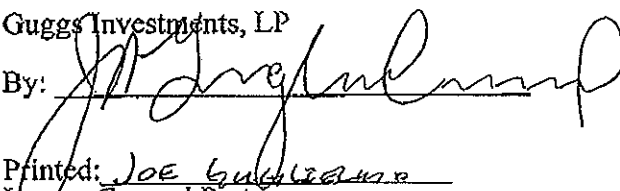
1 Dated: July __, 2008

Ardis Guglielmo

2 By: _____

3
4 Dated: July 31, 2008

Guggs Investments, LP

5 By: 

6 Printed: JOE GUGLIELMO
7 Its: General Partner

8 **ORDER**

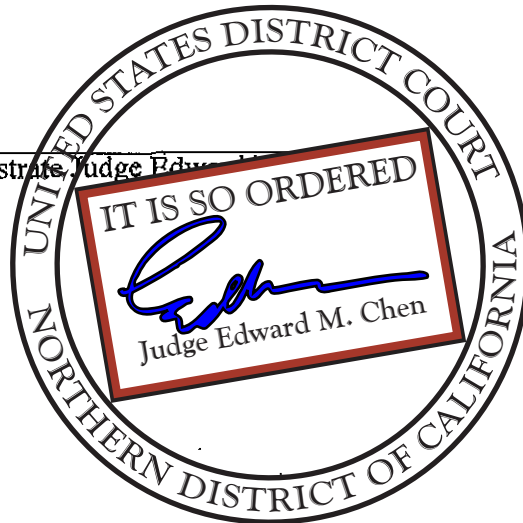
9
10 Based upon the foregoing stipulation, and good cause appearing therefore, the Court
11 orders that the temporary restraining order entered on September 22, 2006 be lifted only with
12 respect to the \$68,013.82 held in Bank of America bank account no. 05255-40012, so that said
13 funds can be immediately paid to Plaintiffs.

14 IT IS SO ORDERED.

15 August 6, 2008

16 Dated July __, 2008

17 Magistrate Judge Edward M. Chen



1 Dated: July____, 2008

Ardis Guglielmo

2
3 By: 

4 Dated: July____, 2008

Guggs Investments, LP

5 By: _____

6 Printed: _____

7 Its: General Partner

8 **ORDER**

9
10 Based upon the foregoing stipulation, and good cause appearing therefore, the Court
11 orders that the temporary restraining order entered on September 22, 2006 be lifted only with
12 respect to the \$68,013.82 held in Bank of America bank account no. 05255-40012, so that said
13 funds can be immediately paid to Plaintiffs.

14 IT IS SO ORDERED.

15
16 Dated July____, 2008.

17 Magistrate Judge Edward M. Chen